

## REMARKS

Under this Amendment, applicants have cancelled Claims 1, 2, and 21 without prejudice to the subject matter therein, have rewritten Claims 3, 6, 7, 26, and 27 in independent form, have amended Claims 16 and 20 to more clearly define over the prior art, have re-presented Claims 7, 22, 23, and 25 without amendment, and since remaining Claims 8 to 15 have been allowed, and Claims 4 and 5 depend from Claim 3, Claims 17, 18 and 19 depend directly or indirectly from Claim 16, and Claim 24 depends from Claim 23, reconsideration of this application is respectfully requested.

Applicants' attorney would like to express his appreciation to the Examiner for the allowance of Claims 8 to 15.

In paragraph 3 of the Office Action, the Examiner states that Claim 19 is a substantial duplicate of Claim 21, and to correct this error, Claim 21 has been cancelled.

Claims 16 to 21, 23 and 24 have been rejected under 35 USC 102(e) as being anticipated by the Lee, U.S. Patent No. 6,076,000, with the statement:

"Regarding claim 16, Lee disclosed an after-market hands free unit for a mobile wireless telephone (abstract, fig.1), comprising:  
- a base unit having an integral generally annular nose insertable into a vehicle power socket (#11, fig.1), said base including a housing with upper and lower housing

portions(fig.1), a circuit board clam shelled between the upper and lower housing portions(#14 fig.2, and fig.4), and a speaker clam shelled between the circuit board and the upper housing portion(#13 fig.2, and fig.6).

Regarding claim 17, Lee further discloses an aftermarket hands free unit for a mobile wireless telephone, wherein the upper housing portion has a grill(#13 fig.1) for the speaker.

Regarding claim 18, Lee further discloses an aftermarket hands free unit for a mobile wireless telephone including a finger insertable recess in the housing with a switch(#15 fig. 1) therein for operating the hands free unit.

Regarding claim 19, Lee further discloses an aftermarket hands free unit for a mobile wireless telephone, wherein the switch is an optical switch(#15 fig.1).

Regarding claim 20, Lee further discloses an aftermarket hands free unit for a mobile wireless telephone, comprising: a base unit having an integral generally annular nose insertable into a vehicle power socket(#11 fig.1), said base including a housing, a finger insertable recess in the housing with a switch(#15 fig.1) therein for operating the hands free unit.

Regarding claim 21, Lee further discloses an aftermarket hands free unit for a mobile wireless telephone, wherein the switch is an optical switch(#15 fig.1).

Regarding claim 23, Lee discloses a vehicle separable hands free unit for a mobile wireless telephone having internal audio circuitry for an internal speaker and an internal microphone(abstract, fig.1, and fig.4-5), comprising: a base unit, a vehicle separable connector quickly connectable to the vehicle's power supply for supplying power to the base unit, said base unit including a

hands free speaker and a hands free microphone, and a circuit in the base unit permitting connection of the base unit to a phone during a call without interrupting the call (abstract, fig.1, fig.4-5, and col.2 line 42 thru col.3 line 5).

Regarding claim 24, Lee further discloses a vehicle separable hands free unit for a mobile wireless telephone, including means for activating the base unit while the call is in process (#15 fig.1, and col.2 line 42 thru col.3 line 5)."

This rejection is respectfully traversed particularly with respect to these Claims as they now stand amended.

Referring to applicants' drawings, and particularly Figs. 7 and 8, the circuit board 30 is clamshelled between an upper housing member 34 and a lower housing member 35. Furthermore, the speaker 25 is sandwiched between the top of the circuit board 30 and the underside of the upper housing portion 34 to secure the speaker in position.

Viewing Fig. 2 of the Lee patent, the circuit board 14 is not sandwiched between the upper and lower housing sections and in fact Lee shows a unitary housing 12 with no parting line whatsoever, and the speaker 13 is not sandwiched between the circuit board and any upper housing section and in fact appears to be attached solely to the underside of the top of the housing 12. To emphasize these

differences, Claim 16 has been amended to recite that the circuit board is clam shelled between the upper and lower portions "with portions of both the upper and lower housing portions engaging and clamping the circuit board", and has been further amended to read that the speaker is clam shelled between the circuit board and the upper housing portion "with portions of the circuit board and the upper housing portion engaging and clamping the speaker in a fixed position". Clearly, Lee finds no response to either of these recitations and thus Claim 16 is believed clearly patentable over Lee.

Claims 17, 18, and 19 depend from Claim 16, and are believed patentable for the same reasons presented with respect to Claim 16.

Claim 20 is directed to the finger recess and optical switch combination shown in Figs. 4, 4a and 5. It should be remembered that frequently the operator is driving his vehicle and cannot be searching the hands free for the mute privacy mode switch particularly when the switch is an optical switch that does not protrude out of the housing. The provision of the recess 50 permits the operator to "feel" his way into the switch assembly 27.

The Examiner refers to switch 15 in Fig. 2 as showing an optical switch, but with all due respect to the Examiner, switch 15 is a mechanical push button switch and not an optical switch. Furthermore, there is no thumb recess in the housing 12 of Lee to enable the operator to feel the switch location with a finger.

To emphasize these differences, Claim 20 has been amended to recite a finger insertable recess in the housing with the switch therein for operating the hands free unit "that enables the operator to feel the switch location, said switch being an optical switch in the recess".

Quite clearly, Lee does not respond to these limitations and Claim 20 is thus believed clearly patentable over Lee.

With respect to Claim 23, this Claim recites "a circuit in the base unit permitting connection of the base unit to a phone during a call without interrupting the call".

The hands free units that applicants are aware of terminate the call when connecting and disconnecting the hands free from the phone. Applicants' counsel has studied the Lee patent and can find no circuitry for effecting this function, and in the absence of more pertinent prior art, Claim 23 is believed patentable.

Claim 24 depends from Claim 23, and is believed patentable for the same reasons presented above.

Claims 7, 22, and 25 have been rejected under 35 USC 103(a) as being unpatentable over Lee in view of the Wilson, U.S. Patent No. 6,081,724 with the following statement:

"Regarding claim 7, Lee further discloses a vehicle separable hands free unit for a mobile wireless telephone, said base unit including a circuit (abstract, fig.4-5). However, Lee does not specifically disclose a duplex circuit.

Wilson teaches a hands-free kit for a mobile wireless telephone, base unit including a duplex circuit for attenuating the level of the hands free microphone at predetermined values of the telephone's internal audio circuits (fig.2, col.2 lines 59 thru col.3 line 9). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify Lee's system with the teaching of Wilson of duplex circuit in order to match up with the audio level of the user's telephone.

Regarding claim 22, Lee discloses a vehicle separable hands free unit for a mobile wireless telephone having internal audio circuitry for an internal speaker and an internal microphone (abstract, fig.1, fig.4-5), comprising: a base unit, a vehicle separable connector quickly connectable to the vehicle's power supply for supplying power to the base unit, said base unit including a hands free speaker and a hands free microphone (fig. 1), and a circuit (fig.4-5) in the base unit. However, Lee does not specifically disclose a duplex circuit.

Wilson teaches a hands-free kit for a mobile wireless telephone, base unit including a duplex circuit for attenuating the level of

the hands free microphone at predetermined values of the telephone's internal audio circuits(fig. 2, col.2 lines 59 thru col.3 line 9). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify Lee's system with the teaching of Wilson of duplex circuit in order to match up with the audio level of the user's telephone.

Regarding claim 25, Lee discloses a vehicle separable hands free unit for a mobile wireless telephone having internal audio circuitry for an internal speaker and an internal microphone(abstract, fig.1,fig.4-5), comprising: a base unit(#1fig.1), a vehicle separable connector quickly connectable to the vehicle's power supply for supplying power to the base unit, said base unit including a hands free speaker and a hands free microphone, and a circuit in the base unit (abstract, fig.1-5). However, Lee does not specifically disclose a circuit in the base unit for reducing echo from the speaker.

Wilson teaches the hands free kit includes the circuit in the base unit for reducing echo from the speaker(col.5,lines 42-57). Therefore, it would have been obvious to one skilled in the art at the time the invention was made to modify Lee's system with the teaching of Wilson's circuit in the base unit in order to eliminate the echo from the speaker to provide user with clear reception while in the conversation."

Claim 7 recites "said base unit including a duplexing circuit for attenuating the level of the hands free microphone at predetermined values of the telephone's internal audio circuits". This is simply not shown in Wilson's patent. Wilson discloses full duplexing that is extremely costly and would be prohibitive in the competitive

hands free accessory market. The duplexing recited in Claim 7 and noted in the language above calls for  $3/4$  or  $1/2$  duplexing by attenuating the microphone audio when the speaker audio reaches a certain level. This circuitry is more efficient than the Wilson circuitry and far less costly. For these reasons, Claims 7 and 23 are believed patentable over the combination of Lee and Wilson.

With respect to Claim 25, this Claim recites "a circuit in the base unit for reducing echo from the speaker". Quite frankly, applicants' attorney has studied the Wilson patent and while Wilson does disclose full duplexing, there is no circuitry found there for reducing echo from the speaker. In the absence of more pertinent art, it is respectfully requested that Claim 25 is patentable over this combination of references.

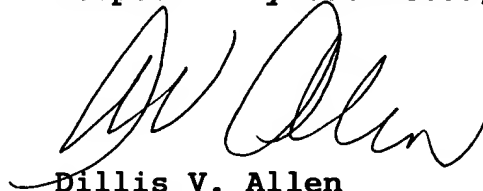
Claims 3-6 and 26-27 have been objected to as being dependent upon a rejected base claim, but are believed allowable if rewritten in independent form. In this Amendment, Claim 3 has been rewritten in independent form, and Claims 4 and 5 depend from Claim 3, Claim 6 has been rewritten in independent form, as well as Claims 26 and 27, so that these Claims are now believed in condition for allowance.



Applicants' counsel has reviewed the other references cited by the Examiner but does not believe them any more pertinent to the Claims than the references applied.


As applicants have made a good faith effort to place this application in condition for allowance, reconsideration and issuance are respectfully requested.

Respectfully submitted,



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